

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMIE MUFFETT, a single person,
individually and d/b/a "JLM Talent,
LLC," a Washington limited liability
company;

Plaintiff,

v.

CITY OF YAKIMA, by and through the
members of its City Council, et al.

Defendants.

NO: CV-10-3092-RMP

ORDER DENYING AS MOOT
DEFENDANT'S MOTION FOR
JUDGMENT AS A MATTER OF
LAW

Before the Court is the Defendant's motion for judgment as a matter of law, ECF No. 294. Oral argument was heard during the trial on July 31, 2012. The Defendant brought the motion at the close of the Plaintiff's case and sought to preclude the Plaintiff from recovering damages for lost profits and to prevent the Jury from being instructed on damages for lost profits. The Court reserved ruling on the motion, and the Defense proceeded to put on its case. The Defendant renewed the motion at the close of evidence.

ORDER DENYING AS MOOT DEFENDANT'S MOTION FOR JUDGMENT
AS A MATTER OF LAW ~ 1

1 Ultimately, the Jury was instructed on lost profits damages. However, the
2 Jury returned a verdict awarding no lost profits. Because the jury awarded no lost
3 profits, the Defendant's motion is now moot.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. The Defendant's motion for judgment as a matter of law, **ECF No. 294**,
6 is **DENIED AS MOOT**.

7 **IT IS SO ORDERED.**

8 The District Court Executive is hereby directed to enter this Order and to
9 provide copies to counsel.

10 **DATED** this 1st day of August 2012.

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12 *s/ Rosanna Malouf Peterson*
13 ROSANNA MALOUF PETERSON
14 Chief United States District Court Judge
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